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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,995	11/21/2001	Heikki Kokkinen	367.40890X00	9518
20457	7590	01/26/2005	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			HAMZA, FARUK	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,995

Applicant(s)

KOKKINEN ET AL.

Examiner

Faruk Hamza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. This action is responsive to the application filed on November 21, 2001.

Claims 1-14 are now pending.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Regarding claim 3, 4 and 5 the word "means" is preceded by the word(s) "to determine, responsive and for updating" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

5. Claim 11 recites the limitation "their" in line 21. There is insufficient antecedent basis for this limitation in the claim.

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6. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Regarding claim 14, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

9. Claims 1-10 and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Tari et al. (U.S. Patent Number 6,542,491).

10. Tari has disclosed:

- <Claim 1>

A server suitable for a vehicle having a first wireless interface providing a connection on a customer basis for local user terminals to the server, to enable access to local content on the server, and a second wireless interface providing a connection to an external mobile network, to enable access to remote content on remote servers. (Fig. 1, 3-2; Column 3, lines 35-52).

- <Claim 2>

A server as in claim 1, comprising a third wireless interface providing a broadband connection to an external network, to enable access to remote content on remote servers. (Fig. 1, 3-2; Column 15, lines 5-12).

- <Claim 3>

A server as in claim 2, wherein the server includes detection means to determine the presence of an external network capable of making a broadband connection with the third wireless interface. (Column 4, lines (45-60)).

- <Claim 4>

A server as in claim 3, wherein the server includes access control means responsive to the detection means to determine the utilisation of the second and third interfaces. (Column 7, lines 1-14).

- <Claim 5>

A server as in claim 4, wherein the server includes content update means for updating the local content on the server via the third wireless interface. (Column 4, lines 23-34)

- <Claim 6>

A server as in claims 1, comprising a computer programmed to operate as a world wide web server and including first and second network data adapters providing the first and second wireless interfaces, respectively. (Column 14, lines 59-67).

- <Claim 7>

A server as in claim 1, further comprising a third wireless interface providing a broadband connection to an external network (Fig. 1, 3-2; Column 15, lines 5-12), to enable access to remote content on remote servers and a computer programmed to operate as a world wide web server and including first and second network data adapters providing the first and second wireless interfaces, respectively, wherein a third network data adapter provides the third wireless interface. (Column 3, lines 35-52).

- <Claim 8>

A method of providing content using a server, which is installed in a vehicle, having a first wireless interface providing a connection to local customer terminals and a second wireless interface providing a connection to an external mobile network, the method comprising providing content located locally in the server and content located in a remote server and accessed by the second wireless interface, wherein the local and remote content are accessible by a local customer's terminal via the first wireless interface. (Fig. 1, 3-2; Column 3, lines 35-52)

- <Claim 9>

A method as in claim 8, further comprising the step of restricting access by the local customer's terminal to content on remote servers. (Column 7, lines 1-14).

- <Claim 10>

A method as in claim 8, further comprising the step of updating the local content via a third wireless interface capable of making a broadband connection with an external network. (Column 15, lines 58-67; Column 16, lines 1-6).

- <Claim 13>

A system for providing content, comprising: a service controller server connected to the internet; a local server, mounted in a vehicle, and user terminals, wherein the user terminals and the local server communicate on a customer basis over a first communication protocol, and the server and the service controller server communicate over a second cellular-system, communication protocol, whereby the user terminals can access the local server, and by its internet connection, remote servers. (Fig. 1, 3-2; Column 3, lines 35-52)

- <Claim 14>

A system for providing content, comprising: a core network comprising a plurality of fixed nodes; a plurality of local servers, mounted in a train or the like, and storing local content; a plurality of user terminals which can access the local server; wherein the local servers and the fixed nodes are programmed to operate as a dynamically re-routing mesh or ad-hoc wireless network to facilitate access by the local servers to the core network and then other external networks. (Fig. 1; Column 3, lines 35-52 and Fig. 4).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

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be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tari et al. (U.S. Patent Number 6,542,491) as applied above, and further in view of Eranko (U.S. Patent Number, 6,801,934) hereinafter referred to as Eranko.

13. With respect to claim 11,

Tari teaches storing content locally (Tari, Column 15, lines 58-67; Column 16, lines 1-6). However, Tari explicitly doesn't teach generating revenue.

However, Eranko in an analogous art teaches generating revenue (Eranko, Column 2, lines 58-64).

As to claim 11, a method as in claim 8, further comprising generating revenue by charging third party companies for storing their content locally. (Eranko, Column 2, lines 58-64).

14. With respect to claim 11, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Tari by adding the billing function that allows a user to have the system with greater portability. The incorporation of the billing function in

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Tari would make the system versatile. (Eranko, Column 2, lines 52-67; Column 3, 1-9)

15. As to claim 12, the rational given above is applied in addition Eranko teaches:

- <Claim 12>

A method as in claim 11, wherein the server provides an internet portal to the customers, wherein the method further comprises the step of charging a premium to third party companies for links to content stored locally over that for links for content stored remotely. (Eranko, Column 2, lines 58-64).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure

- Ramasubramani et al. (U.S. Patent Number 6,314,108) discloses a method and apparatus for providing network access over different wireless networks.
- Ramasubramani et al. (U.S. Patent Number 6,233,577) discloses a centralized certificate management system

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- Boyle et al. (U.S. Patent Number 6,138,158) discloses method and system for pushing and pulling data using wideband and narrowband transport systems.
- Greer et al. (U.S. Patent Number 6,247,048) discloses a system for transcoding character sets between internet hosts and thin clients.
- Razavi et al. (U.S. Patent Number 6,754,183) discloses a system and method for integrating a vehicle sub-network into a primary network.
- Spaur et al. (U.S. Patent Number 5,732,074) discloses mobile portable wireless communication system.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached at 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER